

ESTTA Tracking number: **ESTTA394091**

Filing date: **02/18/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92052234
Party	Defendant jWin Electronics Corp
Correspondence Address	HYUNJUNG KIM JWIN ELECTRONICS CORP 2 HARBOR PARK DRIVE PORT WASHINGTON, NY 11050 UNITED STATES hyunkim@jwin.com
Submission	Opposition/Response to Motion
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Date	02/18/2011
Attachments	response to the bose's motion to compel.pdf (3 pages)(72994 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In The Matter of Registration No. 3,709,147
For the Mark INNOVATIVE LIFESTYLE
Registered on November 10, 2009

In The Matter of Registration No. 3705744
For the Mark INNOVATIVE LIFESTYLE UNQUESTIONABLE VALUE
Registered on November 3, 2009

Bose Corporation,)	
)	
)	
Petitioner,)	Cancellation No. 92052234 (parent)
)	Cancellation No. 92052251
vs.)	
)	
jWIN Electronics Corp.,)	
)	
Registrant.)	
)	

**REGISTRANT'S OPPOSITION TO PETITIONER'S
MOTION TO COMPEL DISCOVERY RESPONSES**

Registrant hereby provides the following response to Petitioner's Motion to Compel Discovery Responses.

Registrant was served Petitioner's First Request for Production of Documents and First Set of Interrogatory Requests on December 23, 2010 after the final day of discovery period. Since receiving these discovery requests, and at times before, the parties have diligently engaged in settlement negotiations with the intention of resolving this matter and avoiding the expense of discovery and further proceedings before the Board. It was only recently that the parties have reached an impasse on settlement and the case is proceeding.

Since ongoing settlement negotiations had not yet produced a resolution, Registrant filed a Motion To Modify Scheduling Order To Reopen Discovery on February 1, 2011. Registrant had hoped to use this additional discovery time to resolve the outstanding discovery issues. A telephone conference with the Board was conducted on February 17, 2011, at which time Registrant's motion to reopen discovery was denied.

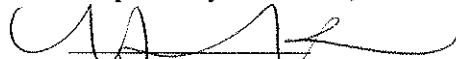
Now that this case is proceeding, Registrant agrees to provide responses to Plaintiff's outstanding discovery requests. Registrant is currently in the process of finalizing the engagement of outside trademark counsel to assist in responding to these discovery requests and in defense of this cancellation proceeding.

Registrant respectfully requests a thirty (30) day period in which to provide a response to the pending discovery request. This additional time is needed for the new trademark council to review the requests, prepare a protective order, assemble responsive documents, and to prepare written responses to the document requests and interrogatories in accordance with the applicable rules and regulations.

Accordingly, Registrant respectfully request that the Board issue an Order granting Registrant thirty (30) days to respond to Petitioner's pending discovery requests.

Dated: February 18, 2011

Respectfully submitted,



HYUNJUNG KIM

Attorney for Registrant

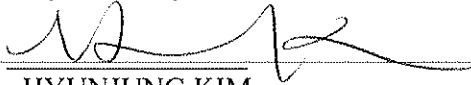
jWIN Electronics Corp.

Phone: (516) 626-7188

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CERTIFICATE OF TRANSMITTAL

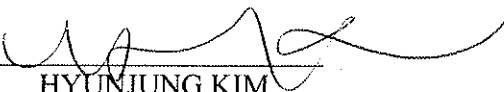
I hereby certify that a true copy of the foregoing REGISTRANT'S OPPOSITION TO PETITIONER'S MOTION TO COMPEL DISCOVERY RESPONSES is being filed electronically with the TTAB via ESTTA on this day, February 18, 2011.

By 
HYUNJUNG KIM

CERTIFICATE OF SERVICE

I hereby certify that on the February 18, 2011, I caused to be emailed and mailed via first class mail a true and correct copy of the foregoing REGISTRANT'S OPPOSITION TO PETITIONER'S MOTION TO COMPEL DISCOVERY RESPONSES on:

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By 
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jWIN Electronics Corp.